

**GARDNER CARTON & DOUGLAS LLP**

1301 K Street, N.W.  
Suite 900, East Tower  
Washington, D.C. 20005-3317  
Voice: 202-230-5623  
Fax: (202) 230-5300

RECEIVED  
CENTRAL FAX CENTER

MAY 18 2006

DATE: Thursday, May 18, 2006

RECIPIENT

FAX: 571-273-8300

TO: Mail Stop: Missing Parts

RECIPIENT

COMPANY: U.S. Patent & Trademark Office

PHONE: \_\_\_\_\_

FROM: Borlase, Lois

SENDER PHONE: 202-230-5623

TOTAL NUMBER OF PAGES INCLUDING COVER SHEET 15

MESSAGE: Application No. 10/564,598  
Filing Date: January 13, 2006  
First Named Inventor: David Laver HUMPHRIS  
Attorney Docket No.: P2587US

Documents Transmitted:

Transmittal Form (1 page)  
Response to Notification (3 pages in duplicate)  
Copy of Notification (2 pages)  
Combined Declaration & Power of Attorney (5 pages)

---

If there is any problem with this transmission, please call the sender at the number indicated above as soon as possible.

---

••• CONFIDENTIALITY NOTE •••

The pages accompanying this facsimile transmission contain information from the law firm of Gardner, Carton & Douglas which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this cover letter. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

RECEIVED  
CENTRAL FAX CENTER

MAY 18 2006

PTO/SB/21 (09-04)

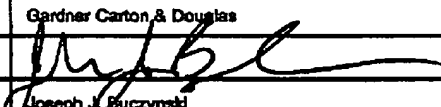
Approved for use through 07/31/2006. OMB 0651-0031

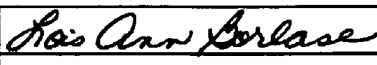
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/564,588
	Filing Date	January 13, 2006
	First Named Inventor	David Laver HUMPHRIS
	Art Unit	Not Assigned
	Examiner Name	Not Assigned
	Attorney Docket Number	P2587US
Total Number of Pages in This Submission		14

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD <input type="checkbox"/> Remarks	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Gardner Carton & Douglas	
Signature		
Printed name	Joseph J. Buczynski	
Date	May 18, 2006	Reg. No. 35,084

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature		
Typed or printed name	Lois Ann Borlase	Date 5/18/06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED  
CENTRAL FAX CENTER

MAY 18 2006

PATENT  
Attorney Docket No. P2587US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

David Laver HUMPHRIS

Group Art Unit: Not Assigned

Application No. 10/564,598

Examiner: Not Assigned

Filed: January 13, 2006

For: Probe for an Atomic Force Microscope

RESPONSE TO NOTIFICATION REQUIREMENTS UNDER 35 U.S.C. 371 IN THE  
UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Applicant hereby responds to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office dated 04/19/2006.

The items checked below are appropriate:

1. Status of Applicant

This application is on behalf of ☐ other than a small entity or ☒ a small entity.

The verified statement ☐ is attached or ☐ was filed on

2. Documents Submitted Herewith

<input checked="" type="checkbox"/>	Executed Combined Declaration and Power of Attorney of inventors.
<input type="checkbox"/>	Assent of Assignee
<input type="checkbox"/>	Offer to Surrender Original Patent
<input type="checkbox"/>	Preliminary Amendment
<input type="checkbox"/>	Notice of Litigation
<input checked="" type="checkbox"/>	Copy of the Notification of Missing Requirements

3. Fees

Pursuant to 37 CFR 1.17(c), the surcharge for filing this Response is for ☐ other than a small entity or ☒ a small entity.

Fee Due \$65.00

RECEIVED  
CENTRAL FAX CENTERIn re Application of David Laver HUMPHRIS  
Application No. 10/564,598

MAY 18 2006

## 4. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- ☐ Applicant petitions for a — month extension of time under 37 CFR 1.136, the fee for which is \$.
- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Extension fee due with this request: \$

## 5. Total Fee Due

The total fee due is:

Surcharge	\$65.00
Extension Fee (if any)	\$
Filing Fee (including extra claim fee)	\$

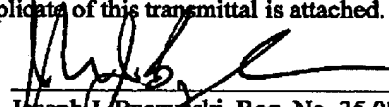
Total Fee Due: \$65.00

## 6. Fee Payment

- ☐ Attached is a check in the sum of \$
- ☒ Charge Account No. 07-0181 the sum of \$65.00. A duplicate of this transmittal is attached.

## 7. Fee Deficiency

- ☒ If any additional fee is required in connection with this communication, charge Account No. 07-0181. A duplicate of this transmittal is attached.

  
Joseph J. Buczynski, Reg. No. 35,084  
One of the Attorneys for Applicant(s)  
GARDNER CARTON & DOUGLAS LLP  
191 N. Wacker Drive, Suite 3700  
Chicago, Illinois 60606-1698  
(312) 569-1000 telephone  
(312) 569-3000 facsimile  
Customer No.: 08968

Date: May 18, 2006

In re Application of David Laver HUMPHRIS  
Application No. 10/564,598

---

CERTIFICATE OF FACSIMILE

I hereby certify that this RESPONSE TO NOTIFICATION REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (along with any documents referred to as being attached or enclosed) is being facsimile transmitted to the United States Patent & Trademark Office, Mail Stop Missing Parts, Facsimile number 571-273-8300, on the date shown below.

Date: 5/18/06

Lois Ann Borlase  
Lois Ann Borlase

DC01/ 506002.1

RECEIVED  
CENTRAL FAX CENTER

MAY 18 2006

PATENT  
Attorney Docket No. P2587US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

David Laver HUMPHRIS

Application No. 10/564,598

Filed: January 13, 2006

For: Probe for an Atomic Force Microscope

Group Art Unit: Not Assigned

Examiner: Not Assigned

COPY

RESPONSE TO NOTIFICATION REQUIREMENTS UNDER 35 U.S.C. 371 IN THE  
UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Applicant hereby responds to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office dated 04/19/2006.

The items checked below are appropriate:

1. Status of Applicant

This application is on behalf of ☐ other than a small entity or ☒ a small entity.

The verified statement ☐ is attached or ☐ was filed on

2. Documents Submitted Herewith

- ☒ Executed Combined Declaration and Power of Attorney of inventors.
- ☐ Assent of Assignee
- ☐ Offer to Surrender Original Patent
- ☐ Preliminary Amendment
- ☐ Notice of Litigation
- ☒ Copy of the Notification of Missing Requirements

3. Fees

Pursuant to 37 CFR 1.17(e), the surcharge for filing this Response is for ☐ other than a small entity or ☒ a small entity.

Fee Due \$65.00

RECEIVED  
CENTRAL FAX CENTER

MAY 18 2006

COPY

In re Application of David Laver HUMPHRIS  
Application No. 10/564,598**4. Extension of Time**

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- ☐ Applicant petitions for a — month extension of time under 37 CFR 1.136, the fee for which is \$.
- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Extension fee due with this request: \$

**5. Total Fee Due**

The total fee due is:

Surcharge	\$65.00
Extension Fee (if any)	\$
Filing Fee (including extra claim fee)	\$

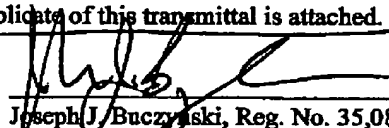
Total Fee Due: \$65.00

**6. Fee Payment**

- ☐ Attached is a check in the sum of \$
- ☒ Charge Account No. 07-0181 the sum of \$65.00. A duplicate of this transmittal is attached.

**7. Fee Deficiency**

- ☒ If any additional fee is required in connection with this communication, charge Account No. 07-0181. A duplicate of this transmittal is attached.

  
Joseph J. Buczynski, Reg. No. 35,084  
One of the Attorneys for Applicant(s)  
GARDNER CARTON & DOUGLAS LLP  
191 N. Wacker Drive, Suite 3700  
Chicago, Illinois 60606-1698  
(312) 569-1000 telephone  
(312) 569-3000 facsimile  
Customer No.: 08968

Date: May 18, 2006

In re Application of David Laver HUMPHRIS  
Application No. 10/564,598

COPY

---

CERTIFICATE OF FACSIMILE

I hereby certify that this RESPONSE TO NOTIFICATION REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (along with any documents referred to as being attached or enclosed) is being facsimile transmitted to the United States Patent & Trademark Office, Mail Stop Missing Parts, Facsimile number 571-273-8300, on the date shown below.

Date: 5/18/06

Lois Ann Borlase  
Lois Ann Borlase

DC01/ 506002.1





## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1400  
Alexandria, Virginia 22313-1400  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/564,598	Andrew David Laver Humphris	P2587US

08968  
GARDNER CARTON & DOUGLAS LLP  
ATTN: PATENT DOCKET DEPT.  
191 N. WACKER DRIVE, SUITE 3700  
CHICAGO, IL 60608

INTERNATIONAL APPLICATION NO.
-------------------------------

PCT/GB04/03065

I.A. FILING DATE	PRIORITY DATE
------------------	---------------

07/15/2004

07/15/2003

CONFIRMATION NO. 1838

371 FORMALITIES LETTER



\*OC000000018561160\*

Date Mailed: 04/19/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/13/2006
- Copy of the International Search Report filed on 01/13/2006
- Preliminary Amendments filed on 01/13/2006
- Request for Immediate Examination filed on 01/13/2006
- U.S. Basic National Fees filed on 01/13/2006
- Priority Documents filed on 01/13/2006

The applicant needs to satisfy supplemental fees problems indicated below.

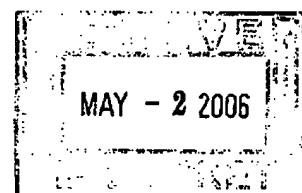
The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.



Page 2 of 2

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/564,598	PCT/GB04/03065	P2587US

FORM PCT/DO/EO/905 (371 Formalities Notice)